IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

Bail Appl..No. 4811 of 2007()

CMP.5132/2007 of J.M.F.C.-II, KOLLAM
CRIME NO.713 OF 2007 OF EAST KALLADA POLICE STATION

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: PETITIONER/ACCUSED NO.6:

LINGA DURAI, S/O. PACHY MUTHU,
DOOR NO.338, KRISHNAN KOVIL STREET NO.II,
ACHEN PUTHOOR NADUVIL, SCHENCOTTA TALUK,
THIRUNELVELI DIST.

BY ADV. SRI.C.R.SIVAKUMAR

RESPONDENTS: COMPLAINANT:

THE STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KOLLAM EAST POLICE STATION.
(THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM).

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.4811 of 2007

Dated this the 9th day of August, 2007

ORDER

Application for regular bail. The petitioner is the 6th accused in a crime registered under Section 489 B & C I.P.C. The 1st accused a woman was detained in a shop when she tried to hand over a counterfeit currency note to the shop keeper. Her residential premises was searched. Huge quantity of counterfeit currency notes of Rs.1,000/- and Rs.500/- and Rs.100/- denominations were seized. The husband of the 1st accused(the 2nd accused) was arrested. His interrogation revealed that these counterfeit currency notes reached him through accused 3 to 7. Accordingly, the petitioner who is arrayed as the 6th accused was arrested on 15.07.07. Investigation is in progress. The petitioner continues in custody from 15.07.07.

2. The learned counsel for the petitioner submits that except the alleged statement of the 1st accused, there is absolutely nothing tangible to justify any allegation against the petitioner. The petitioner who has remained in custody from 15.07.07 may not be enlarged on bail, it is prayed.

3. The learned Public Prosecutor opposes the application. The learned Public Prosecutor submits that the investigation is at a very early stage. Release of the petitioner on bail at this early stage

would frustrate the interests of a proper, efficient and expeditious prosecution. At any rate, the petitioner may not be enlarged on bail at this early stage. The confessions of the co-accused clearly reveals the contumacious involvement of the petitioner. The investigator may be given some further time to complete the investigation and collect all the relevant data against the petitioner herein.

4. Having considered all the relevant inputs, I find merit in the opposition by the learned Public Prosecutor. In coming to this conclusion I have taken note of the nature and quality of the offence alleged, the quantum and quality of the data collected, the stage of investigation as also the deleterious impact which the release of the petitioner on bail at this early stage would leave behind on the law and order situation in the locality. In a serious crime like this, I am satisfied that the investigator must be given some further time to complete the investigation before the question of release of the petitioner is considered.

5. This application for regular bail is, in these circumstances, dismissed, but with the observation that the petitioner shall be at liberty to move the courts below or this Court for bail again at a later stage of the investigation - not, at any rate, prior to 23.08.07.

(R.BASANT, JUDGE)

rtr/-